

UNITED STATES DEPARTMENT OF AGRICULTURE
Sugar Division

APR 12 1939

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1938 Mainland Sugarcane Program

INSTRUCTIONS FOR FILLING OUT APPLICATION FOR PAYMENT
FORM SC-10, SUPPLEMENT 1 THERETO, AND FORM SC-14AI. - DEFINITIONS

For the purposes of these instructions,

APPLICATION means Form SC-10, Application for Payment, 1938 Mainland Sugarcane Program and Form SC-10, Supplement 1, Continuation Sheet for Section VI of the Application for Payment.

FORM SC-1 means Application for Payment, 1937 Mainland Sugarcane Program.

FORM SC-12 means 1938 Mainland Sugarcane Wage Claim.

FORM SC-13 means 1938 Mainland Record of Sugarcane Wage Claim.

FORM SC-14A means the form for computing individual producers' percentage share of the payment for farms approved for abandonment and/or deficiency payment.

FORM SR-101 means the Worksheet - 1937 Agricultural Conservation Program - Southern Region.

FORM SR-208 means the Report of Performance - 1938 Agricultural Conservation Program - Southern Region.

MARKETING LIST means Form LS-102, Louisiana (Florida) Sugarcane Marketing List, 1938.

MASTER MARKETING LIST means Form LS-102M, Louisiana (Florida) Sugarcane Master Marketing List, 1938.

FORM LS-107 means Application for 1938 Proportionate Share.

FORM LS-107B means the excess acreage compliance form of sugarcane for sugar.

ACP-16 means Instructions on Signatures and Authorizations, in connection with the execution of applications for payment or related papers under the Agricultural Conservation Programs.

PRODUCER means any person who was the legal owner, at the time of harvest or abandonment, of a portion or all of the 1938 crop of sugarcane grown on the land covered by the application.

LABORER means any person who was employed in the production, cultivation, or harvesting of the 1938 crop of sugarcane grown on the land covered by the application.

DEFICIENCY AREA means any county in which the actual yields of sugar on farms comprising 10 percent or more of the total sugarcane acreage were 80 percent or less of the normal yields.

II. - GENERAL

The application must cover all farm land which is farmed by an operator as a single unit with workstock, machinery and labor substantially separate from that of any other land, except that in cases in which all such land is not considered as being located in one county, under the definition as contained in Section 62 of Southern Region Bulletin 101, as Amended, the application must cover only the part of such land located in the county.

The entries to be made in the county office and by the applicant on the application have been indicated by dotted lines. Make no entry in a solid line unless it is specifically provided otherwise in these instructions.

Acreages and tonnages of sugarcane for sugar should be expressed to the nearest tenth of an acre and ton respectively. Five or fewer hundredths are to be dropped and more than five hundredths will be considered as a whole tenth. Thousandths of an acre or ton should be disregarded. Figures relative to hundredweights of sugar should be expressed to the nearest hundredth. Five or fewer thousandths are to be dropped and more than five thousandths will be considered as a whole hundredth. Ten-thousandths of a hundredweight of sugar should be disregarded.

All entries, except signatures, should be typewritten or plainly printed.

The application should be executed in quadruplicate in the manner herein-after prescribed and all four copies shall be filed with the Secretary of the county agricultural conservation association of the county in which the farm is located.

Any correction in the data on the application shall be made by drawing a light line through the original entry and entering the correct data immediately above or to the left of the original entry. Any correction of the data on the application should be initialed by the committeeman whose signature appears in Section VIII thereof. If such committeeman is not available to initial the correction, such correction may be initialed by any member of the county committee, provided the committeeman who initials such correction also affixes his signature in Section VIII above the original signature.

III. - EXECUTION OF THE APPLICATION

A - Heading

Enter the state and county code and the application serial number in the space provided in the upper right corner. Applications should be numbered consecutively by communities; for example, A-1, A-2, etc., B-1, B-2, etc.

Enter in the space provided in the upper right corner, the serial numbers of all forms SR-101 covering all land covered by the application.

Enter the name of the county in the space provided.

Enter in the space provided the names of all other counties in which part of the farming unit is located.

Do not enter the transmittal number.

Enter in the spaces provided in the upper left corner the following:

1. The total acres of land covered by the application, which will be the sum of the amounts in line 18, column G, of forms SR-101 for all land covered by the application.
2. The total acres of cropland, which will be the sum of the amounts in line 16, column D, of forms SR-208 for all land covered by the application.

B - Section I. Application and Certification of Producers

Each producer who applies for payment must be fully acquainted with the representations to which he certifies by signing the application.

C - Section II. Approved Farming Practices

The practice numbers A-1, A-2, A-3, etc., correspond to the practice numbers as given in S.D. No. 31, as amended on September 19, 1938.

Enter in line 2, under columns A-1, A-2 and A-3, the number of acres on which each of the practices as shown in S.D. No. 31, as amended, under these same symbols, was carried out.

Enter in line 1, under columns B-1, B-2, C-1, C-2 and D, the number of units (acres or pounds) of each practice as shown in S.D. No. 31, as amended, under these same symbols, which were carried out.

D - Section III. Basic Data

Item 1. Enter the proportionate share for the farm covered by the application, as given in line 21 of form LS-107.

Item 2. Enter the number of acres of sugarcane harvested for the extraction of sugar, as ascertained from the operator.

Item 3. Enter the number of acres of sugarcane harvested for seed, as ascertained from the operator.

Item 4. Enter the sum of items 2 and 3. If this amount is greater than the amount entered in item 1, no payment may be made with respect to the farm.

Item 5. Enter the number of acres of sugarcane harvested for sirup, as ascertained from the operator. This information should be checked against Form LS-107B in all cases where sugarcane for sirup was harvested from acreage in excess of the proportionate share.

Item 6. Enter the total number of acres of sugarcane abandoned, as ascertained from the operator. The figure to be entered should include all acreage which was not harvested for sugar, seed or sirup. In cases in which Form LS-107B was filed, enter the amount shown in line 9 of Form LS-107B. If there are no abandoned acres, the word "None" must be entered.

Item 7. Enter the sum of the amounts entered in line 3, column D of Forms SR-208 for all land covered by the application. This item should equal the sum of items 4, 5 and 6.

Item 8. Enter the number of short tons of sugarcane marketed (or processed) for the extraction of sugar from all land covered by the application, as shown in column 4 of Form LS-102M.

Item 9. Enter the average sucrose content of the sugarcane, as shown in column 5 of Form LS-102M.

Item 10. Enter the amount shown in column 6 of Form LS-102M.

Item 11. Enter the total commercially recoverable sugar obtained by multiplying item 8 by item 10.

If damage caused by drought, flood, storm, freeze, disease, or insects resulted in the bona-fide abandonment of planted acreage of sugarcane for sugar on the land covered by the application, enter the cause or causes of such abandonment in the space provided.

Item 12. Enter the number of bona-fide abandoned acres, as ascertained from the operator. Bona-fide abandoned acreage is proportionate share acreage abandoned because of damage due to drought, flood, storm, freeze, disease or insects. The number of bona-fide abandoned acres shall not exceed the smaller of the following: (1) The amount entered in item 6, or (2) the amount obtained by subtracting item 4 from item 1. If there are no bona-fide abandoned acres, enter the word "None".

Item 13. Enter the normal yield of sugarcane in the space provided in the parenthesis, and enter the normal yield of sugar in the space provided to the right of the abbreviation "cwt". In cases in which Form SC-1 was filed in 1937, enter the amounts shown in the corresponding spaces in item 8, Section II of Form SC-1. ^{1/} In cases in which Form SC-1 was not filed, the normal yield of sugarcane per acre must be obtained by weighting the yields in line 3, Column N of the Forms SR-101 for all land covered by the application by the acreages in line 3, column M of the respective Forms SR-101. The normal yield of sugar per acre will be the normal yield of sugarcane per acre multiplied by the number of hundredweights of sugar, determined in accordance with Sugar Determination No. 57, issued December 22, 1938.

Items 14 and 15. Make no entry

If damage caused by drought, flood, storm, freeze, disease, or insects resulted in a crop deficiency on the farm, the cause or causes of such crop deficiency is to be entered in the space provided.

Items 16 through 23. Make no entry.

^{1/} In the case of sugarcane growers in Indian River County, Florida, the normal yield of sugarcane will be the same as was entered in Form SC-1, but the normal yield of sugar per acre will be computed in accordance with the provisions of S.D. No. 57, issued December 22, 1938.

E - Section IV. Approval for Payment with respect to
Abandonment and Crop Deficiency

Section IV will be executed by the State office.

F - Section V. Accrued, Unpaid Wages

The county committee should determine that each laborer named in column B, for whom accrued, unpaid wages are shown in column D, was not paid wages in accordance with section 301(b) of the Sugar Act of 1937 and Sugar Determinations Nos. 21, 40 and 47, issued March 30, July 2 and October 15, 1938, respectively, because he could not be located after every reasonable effort was made, or because the producer who employed him did not have the necessary funds. All entries of the names of laborers and of amounts of unpaid wages must be evidenced by wage claims properly executed by such laborers, or their authorized representatives, on the forms provided for that purpose, or by statements signed by the producers stating the names of the laborers not fully paid and the amounts owed. No evidence need be attached to the application. If all laborers were fully paid, enter the word "None" on the first line of column B.

Enter in column A the names of the producers who owe wages to laborers. In case one producer owes wages to more than one laborer, a ditto sign may be entered under his name for each additional laborer.

Enter in column B the name of each laborer who has not been fully paid. All such laborers not fully paid by one producer should be listed consecutively. In case more than one producer owes wages to one laborer, the laborer's name should be entered opposite the name of each such producer.

Enter in column C the mail address of each laborer whose name appears in column B. In case the address of any such laborer is unknown, the word "unknown" must be entered.

Enter in each line in column D the unpaid wages which are due the laborer from the producer whose name is entered in that line. Do not enter the total in the last line.

G - Section VI. Division of Payments and Signatures
of Applicants

Enter in column A the name of each producer on the farm. The name of each producer should be in the form in which he generally signs business documents. The name of the operator must in all cases be entered on the first line. If there are more than five producers on the farm interested in the sugarcane for sugar, Form SC-10, Supplement 1, will be used as a continuation sheet. Each such continuation sheet must be properly identified by State and county code and serial number and securely attached to the related application.

Enter in column B each producer's share of the acreage of sugarcane harvested for the extraction of sugar. This acreage must be the producer's share in accordance with the terms of the lease or operating agreement. The total of column B must in all cases equal the amount in item 2, Section III.

Enter in column C each producer's share of the commercially recoverable sugar. The total of column C must not vary from item 11, Section III by more than .005 hundredweight for each producer.

Enter in column D each producer's share of the bona-fide abandoned acres. The total of column D must equal item 12, Section III.

Enter in column E each producer's percentage share of the payment. The percentage shares are to be entered only when all of the farm is located in the county or covered by worksheets for that county in accordance with section 62 of SRB-101, as amended. In cases where the farm is not approved for either deficiency or abandonment, the producer's share of the payment will be the percentage that each producer's share of the commercially recoverable sugar as shown in column C bears to the total of column C.

If payment may be made with respect to any farm for either deficiency or abandonment, Form SC-14A must be used to determine each producer's percentage share of the total payment. If payment may be made with respect to the farm for deficiency but not for abandonment, columns 7 and 8 of Form SC-14A need not be filled out. If payment may be made with respect to the farm for abandonment but not for deficiency, columns 2, 3, 5 and 6 need not be filled out. Enter in the spaces indicated on Form SC-14A the following:

1. The State and county code and application serial number.
2. 80 percent of the normal yield of sugar per acre for the farm expressed in hundredweights.
3. One-third of the normal yield per acre of sugar for the farm expressed in hundredweights.
4. The name of each producer on the farm as shown on the application.
5. The acreage of sugarcane harvested for extraction of sugar, as shown in column B, Section VI, of the application.
6. 80 percent of the normal yield of sugar per acre for the harvested acres, which will be the amount in column 2 of Form SC-14A multiplied by 80 percent of the normal yield of sugar per acre for the farm as shown in the upper left corner of Form SC-14A.
7. The amount of commercially recoverable sugar for each producer, as shown in column C, Section VI of the application.
8. The deficiency production for each producer, which will be the amount in column 3 of Form SC-14A, minus the amount in column 4 of Form SC-14A.
9. The deficiency of sugar for the farm apportioned to each producer, which will be the percentage of the amount entered in column 5 for each such producer that the difference between the totals of columns 3 and 4, Form SC-14A, is of the total of column 5, Form SC-14A. This percentage should be entered in the heading of column 6, Form SC-14A.
10. The acreage of sugarcane for sugar on the farm which was abandoned and is acceptable to qualify as bona-fide abandoned acreage from column D, Section VI of the application.
11. One-third of the normal yield for the abandoned acreage, which will be the amount in column 7 multiplied by one-third of the normal yield per acre of sugar for the farm as shown in the upper right corner of Form SC-14A.

12. The total amount of sugar eligible for payment, which will be the sum of the amounts in columns 4, 6 and 8 of Form SC-14A.

13. The percentage share of payment for each producer on the farm, which will be the percentage that each item in column 9 of Form SC-14A is of the total of the amounts in column 9. The percentage shares of the payment shall be expressed to the nearest hundredth of one percent. Five or fewer thousandths shall be dropped and more than five thousandths shall be considered as a whole hundredth. Ten-thousandths of one percent should be disregarded. In case the sum of these percentages does not equal exactly 100 percent, make the necessary adjustment in the largest percentage in the column in order that the total will equal exactly 100 percent. A sufficient supply of such forms for use in the county office will be furnished by the State office. When Form SC-14A is used, it shall be attached to the application.

Make no entries in Section VI, columns F, G and H of the application.

The signatures of the applicants must appear in the same order that the names of the producers appear. The signature of each applicant on the application or any related paper should agree with his name as typed or printed on the application. All signatures on the application should be in ink or indelible pencil and must be in the original handwriting of the applicant or a duly authorized representative. Traced signatures, carbon impressions, and facsimile signatures on the original Form SC-10 will not be accepted. Each signature by mark must be witnessed by one disinterested person whose signature must be in the original handwriting of the witness. It is not required that signatures be witnessed unless they are made by mark. The application is to be signed by applicants only when all of the farm is covered by 1937 Agricultural Conservation Program work sheets prepared within one county, as defined in section 62 of Southern Region Bulletin 101, as Amended. If part of the farm is covered by work sheets in another county, the application need not be signed by the applicants, and should be forwarded to the State office, where a master application will be prepared covering the entire farm. The original and three copies of the master application will be forwarded to the county office by the State office for signatures, and upon completion, the county office will forward the signed application to the State office.

If any interested person who otherwise would share in the payment with respect to the farm, refuses to sign the application, a statement by such person setting forth fully his reason for refusing to sign should be attached to the application. If such statement cannot be obtained, there should be attached to the application a statement signed by a member of the county committee indicating the reason for such refusal and the efforts which have been made to secure the signature of such producer. If, for any other reason, the signature of any interested person who otherwise would share in the payment cannot be obtained, a statement of the reason for the failure of such person to sign must be written in the line where he would have signed and initialed by a county committeeman.

Payment may be made later to any such producer if within the time limit for accepting applications he submits an application on a Form SC-10 properly executed by him.

The basic data on the supplemental application must be identical with that on the original application, except that it will not be necessary to include the

percentage shares of any producer other than those making application for payment on the supplemental application and the notation "Supp." should appear in the upper right corner immediately following the serial number. Such supplemental application need not be signed by any interested person whose signature was affixed to the original application, but must be duly certified by a member of the county committee.

Enter in the space provided opposite each applicant's signature his mail address.

The regulations set forth in ACP-16 are to be followed with respect to authorizations and signatures of applicants on the application. However, inasmuch as a receiver or liquidator is not eligible to receive payments under the Sugar Act of 1937, subsections 2B and 2E(5) of section C of such regulations should be disregarded. Similarly, since governmental agencies are not eligible to receive payments under the act if they are not incorporated, subsection 2D of section C should be disregarded unless the state, county or municipal agency applying for payment is a duly incorporated entity. In the case of an application for payment signed by a trustee appointed by a court, as provided in subsections C(1), (2) and (3) of section C, such application should be submitted to the Sugar Division before it is certified for payment by a member of the county committee. No written evidence as to authority to sign applications in a representative capacity need be attached to the application.

H - Section VII. Certification of Producer-Processor

Any producer on the farm who was directly or indirectly a processor of sugarcane during the 1938-39 crop season, as defined in Sugar Determination No. 32, issued May 24, 1938, is required to enter the name of the processor and execute this section. Where the producer-processor(s) who should execute this section refuse(s) to execute it, the county committee should ascertain the name of the processor and the producer-processor(s) who would normally execute this section, and type in the name(s) of such persons in the space provided. The failure to execute this section will not affect the payment to tenants and share-croppers on the farm.

IV. APPROVAL OF APPLICATION

Section VIII. Certification of County Committee (and Approval of the County Agricultural Conservation Association)

The Secretary of the County Agricultural Conservation Association shall compare the data on the application with the applicable records of the Association and if he finds the application to be in proper form he shall indicate his approval by affixing his signature in the space provided in Section VIII. He should not affix his signature of approval before the form is signed by the applicant(s).

If the county committee finds that the data on the application have been correctly entered and that the persons making application for payment are eligible under the regulations to receive payment with respect to the farm covered by the application, it should authorize one of its members to affix his signature on

behalf of the committee in the space provided in Section VIII. The committeeman who signs in Section VIII must not be a near relative of any interested person shown on the application, or have any sort of financial interest in the farm covered by the application. The date the committeeman signs the application should be entered in the space provided beneath his signature.

If it is found that one or more producers applying for payment on the application have not complied with the provisions of Section 301(a) of the Sugar Act of 1937 with respect to the employment of child labor in the planting, cultivation, or harvesting of the 1938 sugar crop and one or more of the applicants have complied with the provisions of the above referred section of the Act, a copy of the finding of the county committee as to which of the producer(s) on the farm did not comply with this provision of the Act should be attached to the application.

If form SC-12, Sugarcane Wage Claim, has been filed with the county committee against a producer on the farm and settlement has not been made in accordance with "1938 Sugar Circular Letter No. 23" dated January 25, 1939, form SC-12, as executed by the laborer, and form SC-13, as executed by the county committee, should be attached to the application, together with a statement setting forth the name(s) of the producer(s) involved, the names of the laborers not fully paid and the amount of unpaid wages due each laborer from each producer.

If it is found that any producer who is applying for payment has for 1938 made any change in the leasing or operating agreements which existed in 1937 for the purpose of diverting to himself any payment to which the share-tenants or share-croppers would be entitled if the 1937 leasing or operating agreement were in effect, or if there has been any interference by any producer with the contracts entered into by tenants or share-croppers for the sale of their sugarcane, the committee shall attach a complete report of its findings to the application, including the share which the producer would receive but for such change.

In case one or more producers on an application violate(s) subsections (a) or (b) of Section 301 of the Sugar Act of 1937, or paragraph (c) of S.D. No. 45, revised February 1, 1939, certification by the county committee should be withheld and the findings of the county committee, if any, will be reviewed by the state committee.

The county committee is charged with the responsibility of determining that a person who signs an application in a representative or fiduciary capacity has the proper authority so to act. If the members of the county committee do not have personal knowledge that each such person has proper authority, they should require him to submit evidence of his authority. (See ACP-16 and AAA Forms 379, 380, 381 and 382 as to what constitutes acceptable evidence of such authority.) It is not required that a power of attorney on the applicable AAA form or similar form be secured for substitution, unless the power of attorney now on file in the county office is found to be inadequate. No written evidence of authority need be attached to the application when it is submitted to the State office for payment.

Before submitting applications to the State office, each such form should be carefully checked to determine that:

- (1) All data have been correctly entered;
- (2) All corrections have been correctly initialed;

- (3) Each interested person has signed the application, or there is a proper explanation as to why he has not done so; and
- (4) All signatures of interested persons are genuine and agree with their names as typed or printed on the application.

V. - TRANSMITTAL OF APPLICATIONS TO STATE OFFICE

Applications shall be listed on Form SR-115, "Transmittal Sheet", and submitted to the State office. At the top of Forms SR-115, type or print the notation "1938 Sugarcane". Forms SR-115 shall be prepared in quadruplicate and numbered in consecutive order beginning with 1. The original and two copies of Form SR-115 shall be forwarded to the State office and one copy retained in the county office. Application serial numbers prefixed by the same letter, if that system of numbering is used, should be listed together, but separate sheets are not required for different prefix letters.

The original and all copies of the application, with inserted carbons intact, shall be submitted to the State office. The second and third copies of the application will be returned to the county office after computations have been made thereon. The third copy should then be delivered to the farm operator and the other retained in the county office files.

SC-14A

United States Department of Agriculture
Sugar Division

COMPUTATION OF PRODUCERS' PERCENTAGE
SHARES OF THE PAYMENT 1/

(State and county code and
application serial number)

80% of the normal yield per
acre for the farm cwt.

1938 Mainland Sugarcane Program

1/3 of the normal yield per
acre for the farm cwt.

1	2	3	4	5	6	7	8	9	10
	Acres har- vested. (Section VI, column B of ap- plication)	80% of nor- mal yield for harves- ted acres, (Column 2 multiplied by 80% of normal yield, per acre, of shown above)	Amount of commercial- ly recover- able sugar (Section VI, column C of appli- cation)	Deficient production of each producer (Column 3 minus column 4)	Defici- ency for the farm allocated to each producer (2/ column 5)	Abandoned acres. (Section VI, col- umn D of ap- plication)	1/3 of nor- mal yield for aban- doned acres (Column 7 multiplied by 1/3 of normal yield, per acre, of shown above)	Total sugar eligible for pay- ment (Sum of col- umns 4, 6 and 8)	Percentage share of payment. (Percent- age each item in column 9 is of the total)
Name of producer		(cwt)	(cwt)	(cwt)	(cwt)		(cwt)	(cwt)	
1									
2									
3									
4									
5									
6									
7									
Total									100.00

1/ The totals of all columns must agree with the comparable figures entered in Section III of the application.

2/ The excess of the total of column 3 over the total of column 4 prorated on the basis of the individual entries in column 5.

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